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November 2, 2007

**VIA ECF & U.S. MAIL**

The Honorable Denis R. Hurley  
United States District Judge  
P.O. Box 9014  
100 Federal Plaza  
Central Islip, New York 11722

Re: *CA, Inc. v. Simple.com Inc. and Wired Solutions, LLC*  
Case No. CV 02-2748 (DRH)(MLO)  
**Death of Simple.com Inc.'s expert witness, James Maune**

Dear Judge Hurley:

I am writing on behalf of Defendants Simple.com Inc. and Wired Solutions, LLC (collectively "Simple") to inform the court that one of Simple's expert witnesses, James Maune, recently passed away. Mr. Maune submitted three expert reports in this matter and one declaration rebutting opinions offered by one of CA, Inc.'s ("CA") expert witnesses. His expert reports were all completed more than three years ago. Mr. Maune's first expert report was dated June 1, 2004, and addressed claim construction as well as Simple's claims of patent infringement and willful infringement. Mr. Maune prepared a supplemental expert report, dated July 30, 2004, which provided his opinions about Simple's patent infringement claims against two additional products then sold by CA: Unicenter Management Portal version 3.1 and eTrust Security Command Center, version 1.0. Mr. Maune submitted a rebuttal expert report dated August 30, 2004, regarding CA's invalidity defenses. CA deposed Mr. Maune regarding his expert opinions, and that deposition was conducted more than three years ago, on September 24, 2004. Subsequently, Simple also filed a declaration from Mr. Maune, dated February 20, 2006, that responded to a then-recent declaration offered by one of CA's expert witnesses, Danny Goodman.

At this time we are in the process of conferring with our client about the effect of Mr. Maune's passing. Once we have had a chance to discuss the likely impact of Mr. Maune's passing, we will contact the court with a proposal about how to proceed

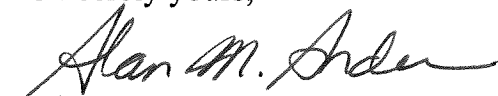
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without Simple's expert, Mr. Maune, given the status of this case. If, in the meantime, the court has any questions, we invite the court to contact us or to convene a telephone status conference.

Sincerely yours,



Alan M. Anderson

cc: Special Master Gale D. Peterson (via facsimile & U.S. Mail)  
Robert D. Fram (via facsimile & U.S. Mail)